

L A W S

Governing Registration and Elections in the City of Detroit



CITY CLERK'S OFFICE

Detroit, Mich.

GEORGE T. GASTON, City Clerk

LAWS

GOVERNING

Registration and Elections

IN THE

CITY OF DETROIT

GEORGE T. GASTON,
City Clerk.

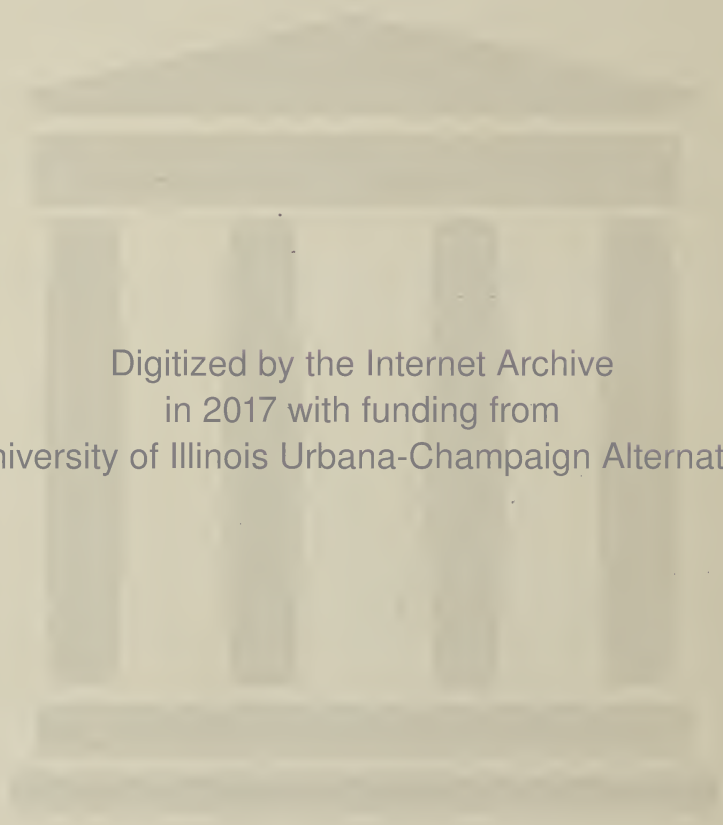


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AN ACT

To Amend and Revise Chapters One and Two of an Act entitled
"An Act to Provide a charter for the City of Detroit, and to
repeal all acts and parts of acts in conflict therewith,"
approved June seventh, eighteen hundred and eighty-three.

Section 1. The people of the State of Michigan enact: That
chapters one and two of an act entitled "An act to provide a
charter for the City of Detroit, and to repeal all acts and parts of
acts in conflict therewith," approved June seventh, eighteen hun-
dred and eighty-three, be and the same are hereby revised and
amended so as to read as follows:

CHAPTER I.

Section 1. The people of the State of Michigan enact: That
the inhabitants of the City of Detroit shall continue to be one
body politic and corporate, under the name and style of the City
of Detroit; and as such shall have, exercise and enjoy such
powers of a local legislative and administrative character as are
conferred by this act, or by the general laws of the State of
Michigan, and shall also exercise and enjoy such implied and
incidental powers and rights as are of right possessed by munici-
pal corporations in this State.

Name and
Powers.

Sec. 2. The powers of local government possessed by said
city are divided into two departments, the legislative and admin-
istrative. No person or body belonging to one department shall

Departments.

P-32177

exercise powers properly belonging to the other, except in cases expressly provided in this act.

Boundaries.

Sec. 3. The territorial limits of said City of Detroit shall include all that tract of country in the County of Wayne, bounded and described as follows: Beginning at the intersection of the national boundary line in the Detroit river with the easterly line of private claim number two hundred and fifty-seven extended, running thence northerly along the easterly line of said private claim number two hundred and fifty-seven, and along the easterly line of the back concession of said private claim numbered two hundred and fifty-seven to the center of the Butler road, so-called; thence westerly along the rear lines of private claims to the center of Saint Charles avenue; thence northwesterly along the center of Saint Charles avenue to the center of Strong avenue; thence along the center of Strong avenue, westerly and northwesterly to the intersection of the center line of Mount Elliott avenue extended; thence westerly along a line parallel with the northerly line of the Boulevard to the easterly line of Saint Aubin avenue; thence northerly along said easterly line of Saint Aubin avenue, and Saint Aubin avenue extended to a point in fractional section thirty-nine, town one south of range twelve east, said point being two hundred and thirty-three feet northerly of the southerly line of said quarter section thirty-nine; thence westerly on a line parallel with the southerly line of said quarter section thirty-nine, and being two hundred and thirty-three feet northerly of the southerly line of said quarter section thirty-nine, to a point two hundred and thirty-three feet easterly of the center line of Oakland avenue, so-called; thence northerly on a line parallel with said center line of Oakland avenue, and Oakland avenue extended, and two hundred and thirty-three feet easterly thereof, to a point indicated by and intersecting the easterly and westerly center line of quarter sec-

tion twenty-three of the ten thousand acre tract in Hamtramck Township; thence westerly from said last mentioned point along the center line of quarter section twenty-three and twenty-four of the ten thousand acre tract in Hamtramck Township, across Woodward avenue, so-called, and along the center line of quarter sections twenty-five and twenty-six of the ten thousand acre tract in Greenfield Township, to a point two hundred and fifty feet westerly of the center line of Crawford street, so-called extended; thence southerly on a line parallel with the center line of Crawford street extended and two hundred and fifty feet westerly thereof, to a point in quarter section thirty-five of said ten thousand acre tract, two hundred and thirty-three feet northerly of the center line of the Williams road, so-called; thence westerly on a line parallel with the center line of said Williams road, and two hundred and thirty-three feet northerly thereof to the westerly line of Twelfth street; thence southerly along the westerly line of Twelfth street to a point two hundred and twenty-four and three-fourths feet northerly of the northerly line of the Boulevard; thence westerly on a line parallel with and two hundred and twenty-four and three-fourths feet northerly of the northerly line of the Boulevard, to a point in section fifty-two of the ten thousand acre tract, said point being two hundred feet west of the west line of the Boulevard in section two, town two south, range eleven east extended north; thence south on a line two hundred feet west of and parallel with the west line of said Boulevard to the northerly line of the private claims; thence westerly on the rear of the northerly line of the private claims to the westerly line of back concession, private claim thirty; thence westerly in a direct course to the easterly line of private claim two hundred and sixty-six; thence southerly along the easterly line of private claim two hundred and sixty-six to the southerly line of Toledo avenue; thence westerly

along the southerly line of Toledo avenue to the westerly line of Livernois avenue; thence southerly along the westerly line of said Livernois avenue, to the northerly line of the Dix road; thence westerly on said northerly line of said Dix road to the westerly line of Artillery avenue extended; thence southerly along said westerly line of Artillery avenue extended to the national boundary line in the Detroit River up stream to the place of beginning; and also all that parcel of land situated in the Detroit river and known as Belle Isle.

(See also Acts annexing part of the Townships of Greenfield and Springwells.)

(As amended by act approved June 2, 1897.)

Ward bound-
aries.

Sec. 4. The said city is hereby divided into the following wards:

First Ward.

First. The first ward shall consist of all that part of the city lying between the center line of Woodward avenue and Beaubien street, and the said lines extended northerly and southerly to the city limits.

Second Ward.

Second. The second ward shall consist of all that part of said city bounded on the east by the center line of Woodward avenue, and on the west by the center line of First street, from the Detroit river to the center line of Grand River avenue, up Grand River avenue to the center line of Second street and along the center line of Second street, and the said lines extending northerly and southerly to the city limits.

Third Ward.

Third. The third ward shall consist of all that part of said city lying between the center lines of Beaubien street and Hastings street, and the said lines extended northerly and southerly to the city limits.

Fourth Ward.

Fourth. The fourth ward shall consist of all that part of said city lying between the westerly boundary line of the second

ward above described and the center line of Crawford street, from the northerly city limits to the center line of Grand River avenue; thence through Grand River avenue to the center line of Fifth street, and down the center line of Fifth street and the said lines extended northerly and southerly to the city limits.

Fifth. The fifth ward shall consist of all that part of said Fifth Ward, city lying between the center lines of Hastings street and Russell street, and the said lines extended northerly and southerly to the city limits.

Sixth. The sixth ward shall consist of all that part of said Sixth Ward, city lying between the west boundary line of the fourth ward above described, and the center line of Trumbull avenue, and the said lines extended northerly and southerly to the city limits.

Seventh. The seventh ward shall consist of all that part of Seventh Ward, said city lying between the center line of Russell street and Dequindre street, and the said lines extended northerly and southerly to the city limits.

Eighth. The eighth ward shall consist of all that part of Eighth Ward, said city lying between the east line of Godfroy farm and the center line of Trumbull avenue, and the said lines extended northerly and southerly to the city limits.

Ninth. The ninth ward shall consist of all that part of said Ninth Ward, city lying between the center lines of Dequindre street and Chene street, and the said lines extended northerly and southerly to the city limits.

Tenth. The tenth ward shall consist of all that part of said Tenth Ward, city lying between the west line of the Loranger farm and the east line of the Godfroy farm, and the said lines extended northerly and southerly to the city limits.

Eleventh
Ward.

Eleventh. The eleventh ward shall consist of all that part of said city lying between the center lines of Chene street and McDougall avenue, and the said lines extended northerly and southerly to the city limits.

Twelfth
Ward.

Twelfth. The twelfth ward shall consist of all that part of said city lying between the west line of the Loranger farm and the westerly line of the Porter farm, and the said lines extended northerly and southerly to the city limits.

Thirteenth
Ward.

Thirteenth. The thirteenth ward shall consist of all that part of said city lying between the center line of McDougall avenue and the center line of Mount Elliott avenue, and the said lines extended northerly and southerly to the city limits.

Fourteenth
Ward.

Fourteenth. The fourteenth ward shall consist of all that part of said city lying between the westerly line of the Porter farm and the westerly line of private claim forty-seven, and the said lines extended northerly and southerly to the city limits.

Fifteenth
Ward.

(See Act annexing part of Township of Greenfield.)

Fifteenth. The fifteenth ward shall consist of all that part of said city lying east of the center line of Mount Elliott avenue extended northerly and southerly to the city limits, and the center line of Field avenue extended northerly and southerly to the city limits, and shall include that parcel of land situate in the Detroit river known as Belle Isle.

Sixteenth
Ward.

Sixteenth. The sixteenth ward shall consist of all that part of said city lying west of the westerly line of private claim forty-seven, and the said line extended northerly and southerly to the city limits.

(See Act annexing part of Township of Springwells.)

Seventeenth
Ward.

Seventeenth. The seventeenth ward shall consist of all that part of said city lying east of the center line of Field avenue extended northerly and southerly to the city limits. The present officers of said fifteenth ward shall continue to transact the business of said seventeenth ward until the next regular election of city and ward officials.

Eighteenth
Ward.

(Eighteenth. See Act annexing part of Township of Springwells.)

As amended by act approved May 28, 1897.

CHAPTER II.

REGISTRATION AND ELECTIONS.

Section 1. No city election shall be held in November, nineteen hundred one, and annual city elections are hereby abolished.

Annual City
Elections
abolished.

A biennial city election shall be held on the first Tuesday after the first Monday in November in the year nineteen hundred two,

Biennial City
Elections,
when held.

and every second year thereafter in connection with the general State election held on the same day and to be conducted by the same officers. A biennial spring election shall be held on the first Monday of April in the year nineteen hundred three, and every second year thereafter in connection with the State judicial election held on the same day, and to be conducted by the

Biennial
Spring
Elections,
when held.

same officers. The election districts in the several wards of the City of Detroit as now established shall remain until they shall be changed as provided by this act. It shall be the duty

Election
Districts.

of the Common Council when any election district shall contain over six hundred and fifty electors to either divide such voting district into two or more election districts, attach a portion thereof to an adjoining district, or re-district the entire ward or any part thereof in which such election district is located. When a district shall be divided, or the boundaries thereof changed, the Common Council shall assign the several registrars and inspectors who were elected at the last preceding election in such district, to the new districts in which they respectively reside,

Division of
Election
Districts.

Registrars,
when district
is divided.

and to appoint a sufficient number of qualified electors of such new districts, who, with the persons so assigned, and a chairman to be designated by the Common Council, shall constitute the registrars and inspectors of election of such new district. Election districts shall be bounded by ward lines, by streets or alleys, or other well-known and established boundary lines. Notice of a general re-registration of electors in all new districts shall be embodied in the notice of registration required by this act, to be published by the City Clerk, and such registration shall be made in the same manner as is provided herein for the new registration directed to be made every fourth year, excepting that the sessions of the board other than in such fourth year shall be held on the same days as the other sessions are held in intermediate years, as herein provided.

(As amended by act approved May 21, 1901.)

Sec. 2. There shall be elected by ballot at the biennial November election in the City of Detroit in November, nineteen hundred two, and at the November election in each second year thereafter in each of the several election districts, three qualified electors of the district, who shall constitute a "Board of Registration of Electors." They shall qualify by taking the constitutional oath of office, to be filed with the City Clerk, and shall hold office for two years from the first day of January next following their election and until their successors are elected and qualified, and if from death, failure to qualify, removal from the district or other cause, a vacancy in such office shall occur, or the person elected be unable to perform the duties of the office, the Common Council may appoint a suitable person to perform such duties for the remainder of the term or until the disability be removed. At the election of such persons, no elector shall vote for more than two candidates and from the whole number of votes cast the three persons receiving the highest

Ward Lines
to bound
Election
Districts.

Notice of
Registration.

Registration
in Divided
Districts,
when held.

Registrars to
be elected
at the
November
Elections.

"Board of
Registration
of Electors,"
how to
qualify.

To hold office
for two years.

Vacancies in
Board, how
filled.

How elected.

number of votes cast for such office shall be declared elected.

The person receiving the highest number of votes shall be the chairman of the district boards of registration and inspectors of elections as herein constituted. Tie votes shall be determined in like manner as cases of an equal number of votes cast for the other city offices. The registrars shall be persons who can read and write in the English language intelligently. The fact that a registrar or inspector is a candidate for re-election shall not disqualify him from acting as such inspector or registrar.

Chairman of
the Board.

How tie vote
to be decided.

When not
disqualified.

(As amended by act approved May 21, 1901.)

Sec. 3. Any vacancy occurring in the chairmanship of any district board of registration by death or removal from such district may be filled by the Common Council. In the year eighteen hundred ninety-six and every fourth year thereafter there shall be a new general registration of all the electors in the several election districts, and for that purpose the several district boards of registration shall meet at the place designated in the notice published by the City Clerk, as hereinafter provided on the third Monday in September and the following Tuesday and Wednesday preceding the general election in November of said years and in each fourth year thereafter, and shall continue in session on each of said days from the hour of eight o'clock a. m. until eight thirty o'clock p. m. (standard time) without adjourning. Such general re-registration shall be made in the "register of electors" for such districts and shall be of the names of all persons at the time residing in such districts and qualified as electors in said districts according to the provisions of the constitution and as hereinafter provided. Their sessions will be public. The board at every session shall have power and it shall be their duty to question every person presenting himself for registration, touching his residence and other qualifications, as an elector of the district, and such other matters as are re-

Vacancy in
office of
Chairman of
Board

Meetings of
Board of
Registration.

General
Registration.

Prove right
of applicant
to register.

quired to be entered in said register, and it shall be the duty of the applicant to make truthful answers to all such questions, and the board may employ an interpreter, if they deem it necessary, who shall be sworn truly and impartially to interpret all such questions and answers, and it shall be the duty of said board, on the demand of any of them or of any elector who shall be present, to administer to all persons who shall personally apply to register the following oath or affirmation:

Oath.

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you, touching your place of residence, name, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of this State." Either of such registrars may administer the oath to the applicant and the oath to the interpreter, if one be employed.

Registration
of qualified
electors.

Sec. 4. Every male person who is or at the next election in said City of Detroit will be entitled to vote therein, on personal application in the election district where he lawfully resides, and complying with the requirements herein, may be registered as an elector therein, but not otherwise. And it shall be the duty of every elector resident in said city to see that his name has been so registered and no person shall be deemed or held to have acquired a legal residence in any ward or election district for the purpose of voting therein at any election therein, unless he shall have caused himself to be registered as an elector in said district, in the manner and at the time hereinafter prescribed, and no person shall be registered as an elector of said city at any other time or place than those which are in this act designated; nor shall any ballot be received by the inspectors at any election on any pretense whatever unless the name of the person offering such ballot shall have been entered in the register of the district in which he claims to vote as herein provided.

Sec. 5. On or before the fifteenth day of September in each year when the general registration of electors is required to be made, the City Clerk shall procure and have in readiness a book for each and every election district in said city for the registration of electors therein, and it shall be styled "the register of electors" for such district. Each register shall be made of good and suitable paper and substantially bound and contain space and ruled lines for at least twelve hundred names and be arranged and ruled in parallel columns with printed headings in the following order: "Number (consecutively) full name; residence; age; term of residence in the state and ward; nativity; naturalized; declared intention prior to May fourth, eighteen hundred ninety-two; date of registration; sworn; remarks, and the ruling and headings on each page of the register shall be according to the following diagram enlarged:

Register of
Electors to be
kept by City
Clerk.

Sec. 6. The district board of registration having openly and publicly met at the time and place herein appointed, shall proceed as follows; They shall examine each applicant as to his residence and qualifications as an elector, and if it shall be determined by the board that he is a qualified elector in such district, then he shall be registered in the register, and the proper entries made in the respective columns, and if any elector present so demands, shall enter the word "challenge" in the column for remarks.

Board of Registration to examine applicants.

Sec. 7. Only the names of such male persons as are of the age of twenty-one years residing in such district shall be entered on said register, but every applicant who would be twenty-one years of age on the date of the next election, if otherwise qualified, may be so entered. Every applicant who has commenced to reside in such ward and who has resided therein a sufficient number of days with those that may intervene between the date of application and next election, to make twenty days, may be entered in said register if he be actually a resident of such district and otherwise qualified, but in such case they shall enter in the columns of "Remarks" the word "challenge," and unless on the day of election he shall have resided for full twenty days in such ward and is then a resident of such district, such applicant cannot vote therein, although otherwise qualified.

Qualifications of applicants for registration.

Sec. 8. The register shall be ruled and one name shall be written on each line, but no name shall be written between lines. In entering the number of the applicant, the numbers shall be filled up consecutively, leaving no blank, and in name they shall include his christian name in full, as well as his surname. The names shall be entered consecutively in the order in which the applicants apply to be registered. The other entries shall be as follows:

How entered in register.

First. In the column headed "residence," the name of the street, avenue and number of the dwelling, if there be a definite number, and if there shall not be a number or name, such clear and definite description of such place and dwelling as shall enable it to be readily ascertained. If there shall be more than one house at the number given by the applicant as his place of residence, state in which house he resides, and if there be more than one family residing in said house he must state either the floor on which he resides or the number and location of the room or rooms occupied by him, whether in front or rear. Every floor below the level of the street or ground being designated as a basement, the first floor above such level being designated as the first floor.

Second. In the column headed "names," enter the name of the applicant, writing the surname first and the given or christian name after.

Third. In the column headed "nativity," the state, kingdom, empire or dominion where the applicant was born.

Fourth. In the columns headed "term of residence" and their subdivisions, the periods by day, month or year stated by the applicant for which he has resided in the State and ward.

Fifth. In the column headed "naturalized," the word "yes" if the applicant be a naturalized citizen.

Sixth. If the applicant be not a native born citizen and is not a naturalized citizen, but has declared his intentions to become a citizen two years and six months or more before the eighth day of November, eighteen hundred and ninety-four, in the column headed "declared intentions," enter "yes."

Seventh. It shall not be necessary to enter under the heading of naturalized or declared intention, an entry as to any elector excepting only such persons as have become entitled to vote by reason of naturalization, or a declaration of intention, made two years and six months or more before the eighth day of November, eighteen hundred and ninety-four.

Eighth. In the column headed "date of registration," the date on which the application was actually registered, and none other.

Ninth. In the column headed "sworn," will be entered the word "sworn" (or affirmed) if the applicant is required to take an oath or affirmation.

Sec. 9. At the close of each day's registration, the registrations for the day shall then be ruled off by double lines to be drawn by the registrars across the page in ink, and immediately under the last name and statement so registered; and the registrars shall make a note in writing under such double lines, stating "close of first, second and so forth, day's registration," and attest the same by the signature of the chairman or two of the registrars.

Manner of closing each day's registration.

Sec. 10. The registers of electors shall be placed in charge of such member of the board at the end of each day, as the board shall designate, and at the close of the session on the last day of registration shall be deposited in the office of the City Clerk, and when not in the official use of the registrars or other persons lawfully entitled to the use and custody thereof, they shall at all times be deposited and locked up in the office of the City Clerk, but subject to be produced for inspection at all proper times.

Custody of registers.

Sec. 11. In addition to the other questions, which will be put to applicants desiring to be registered, the board shall require such applicant to answer, under oath, as to whether he has been

Removals and re-registration.

registered in any other district, and if it appears that he has been so registered, they shall decline to enter his name on the register until he shall produce a "removal certificate" as hereinbefore provided, and any elector who, being duly registered in the district where he then resided, shall remove into another district in the same city, may apply in person to the registrars of his previous district for a "removal certificate," and the same shall be made and signed by them, certifying his said registration, with all its particulars, as shown on their registers, but adding his statement of the new residence and district to which he has removed. They shall then immediately cancel his registration on their registers and list of electors by drawing double lines in ink through the same and noting his "removal," and the ward and district to which he has removed in the column of "remarks," but such note must be subscribed in the register by one of the registrars. And when by mistake a qualified elector has caused himself to be registered in a district which was not his place of residence, the registrars therein, on full and satisfactory proof that such error was committed by mistake, and without fraud or any unlawful intent, may, on his personal application and proof of his true residence, give him a similar certificate as in case of removal, and cancel his registration in the same manner on their registers and list of electors. And the certificate in case of removal, or mistake, so granted, shall, if presented in due time to the registrars of the district where such person so certified lawfully resides, and proper proof thereof made to them, entitle such persons to be registered therein as herein provided. But in all cases where registration is made upon certificates from the board of registration of other districts, such certificates must be retained by the board to whom it is presented and returned by them to the office of the City Clerk; such certificate shall be signed, in order to be of any validity, by

at least one of the registrars of the district in which the registration is first made. No person shall be registered upon production of any such removal certificate unless and until he shall have satisfied the board of registration, to whom he shall have presented such certificate, that he is a qualified elector and entitled to be registered in such district, and such "removal certificate" shall not be deemed evidence of his qualification as an elector in such district.

Sec. 12. At the close of the registration on the last day of the sessions of said board, said district board of registration shall make out in books to be prepared, furnished to them by said City Clerk, a list of all the registered electors in their district, whether registered by them or by any preceding board, as herein provided, arranged alphabetically in the order of their surnames, followed by their full christian name, ages and residences, as registered and the registered number of each prefixed. The books to be prepared for this purpose shall be ruled in columns with printed headings, as follows, viz.:
 Registry number name age
 residence voted November 18.....
 sworn voted April 18..... sworn
 voted sworn
 remarks

Board to
make and
compare lists
of electors.

These said lists shall be carefully compared by the registrars of each district with the registers thereof, and they shall then attach thereto a certificate as follows: "We, the undersigned, members of the district board of registration of electors, in district ward of the City of Detroit, do certify that the foregoing list is a true and correct copy of the names, ages, residences, and registry numbers, and of any entries in the column of "remarks" opposite such names on the registers of said district of all persons who have been

REGISTRATION AND ELECTIONS.

To certify
list.

Spring
Registration.

registered as residents and qualified electors in said district, dated this day of in the year hundred and,” and which certificate shall then be signed by all the members of said district board, and said list shall be delivered, together with the register of electors of said district to the City Clerk for use by the board of inspectors at the election held in the fall of the year and in the year following until a new list be made at the registration made in the month of September. At the registration made in the spring of the year and at any registration preceding a special election, the board of registrars will complete said list by adding thereto the names of any qualified electors registered by them, said names to be entered in the same manner, and there shall be annexed thereto a like certificate as is required as above provided to be made by the registrars at the fall registration. Said list shall be known and marked as the “election list of electors” for the district, ... ward (naming the district and ward). Any entries in the column of “remarks” set opposite any name in the register shall be copied into the like column in the list of electors.

When Registration to
be held.

Board to review and complete the list
of voters.

Sec. 13. On the first Monday in March preceding the election held in April, and on the third Monday of September and the following Tuesday preceding the biennial election held in November, and on the third Monday of September and the following Tuesday and Wednesday of the year in which a presidential election is held, the district boards of registration shall be in session in their respective districts at such places as shall be designated in the notice of registration to be published by the City Clerk as hereinafter provided from eight o'clock in the forenoon (standard time) until eight thirty o'clock in the evening (standard time) of each of said days without intermission.

At such sessions of such district board, they shall review and complete the list of qualified voters for such district. Such registration shall be made in the "register of electors" for such district and shall be made in the manner provided in this act for a general registration of electors in every fourth year. And all the provisions of law in relation to receiving applicants for registration, and the registration of such applicants, shall be held applicable to, and govern the registration in such intermediate years. On reviewing the list of electors appearing upon such register, if it shall be known to the board that any person whose name appears therein is dead, or has removed from the city, they shall enter the word "dead" or "removed from the city" opposite such name in the column headed "remarks," and they may further draw a line in red ink through such name. They shall also, opposite such entry in said column of remarks, enter the date of entry and the name of the registrar making it, so as to show when and by whom made, and therefore such name shall be considered erased and treated as no longer in the register; but if it shall happen that such entry is erroneously made and such person shall thereafter appear and claim the right to be again registered, he may be registered by the board of registration, in the same manner as though his name had never been erased, or if he shall appear at an election and claim the right to vote thereat, his name may, on his application be again registered upon the following terms: he shall upon his examination on his oath or affirmation, which any member of the board of inspectors may administer, declare that he is the identical person whose name was so registered and erased and that he is a qualified voter and entitled to vote; and upon making such oath or affirmation the board of inspectors being satisfied that he is a duly qualified elector, his name may be registered in the manner above described, by a member of the board of inspectors,

Provisions of general laws relative to applicants for registration applicable.

Record of "Deaths" and "Removals."

Erroneous entry of "Death" or "Removal," how corrected.

and by its order the proper entries being entered in the proper register, under the appropriate heading and the name and residence of such person entered in the list made by the board of registration for the use of said board of inspectors, as above provided, and in the column of remarks in the "register of electors" there shall be entered opposite such name the words "Registered by inspectors," followed by the signature of one of the board of inspectors. And if such applicant shall affirm or swear falsely he shall be liable to the pains and penalties of perjury and if any entry shall be made falsely and maliciously and without credible information, indicating in said register that any person is dead or who has removed from the city, the member of the board making it, and any other member of the board consenting thereto, shall be deemed guilty of a misdemeanor, and be punished as such; and the party aggrieved shall be entitled to recover from him or them in an action on the case, treble damages for the injury, and treble costs of suit, in any court having jurisdiction of the case, and the record of the defendant's conviction of the criminal offense, duly authenticated, shall be prima facie evidence of his liability. In cases of special elections held in any ward or wards, and not in the city generally, removal certificates provided by section eleven, shall be made and issued by the City Clerk, and he shall perform the duties in such case provided to be done by the registrars of the district from which the applicant shall have removed.

Penalty for
false
swearing.

When Re-
moval Certifi-
cates to be
issued by
City Clerk.

Entries to be
made in ink.

Sec. 14. All entries in said register, and in the election list of electors, shall be made in ink, and no member of said board of registration shall write or make any entry in said register or list, or allow any other person to do so, excepting the same be permitted by law, and no other person shall make entries, or mark whatever therein, excepting inspectors of election, as provided by this act, or, as may be provided by the statutes of the United

States. The registers and the election list of electors in the office of the City Clerk shall at all times be open to public inspection without charge. In case the "register of election" for any district shall be lost or destroyed, or so mutilated that the same cannot be used, the common council of said city may direct the board of registration of the proper district to make a new general registration of the electors in such district at their sessions held as provided herein, prior to any election. Any such new registration shall be made in the manner provided in this act for a general registration of electors, and all provisions of law in relation to receiving applications for registration, and the registration of applicants, shall be held applicable to and govern the registration provided by this section to be made, and an "election list" of electors shall be made by the registrars, in like manner as they are directed to be made in the case of general registration.

Sec. 15. At the opening of the sessions of the board in intermediate years, there shall be delivered to the district boards respectively the "register of electors" and the "election list" of electors for the year, by the officers having custody thereof, and the City Clerk shall procure and furnish all the necessary blanks, and he shall also keep on hand in his office blank affidavits and certificates required or provided by this act to be made. He shall also procure and furnish all necessary books, stationery, blanks, seals, pencils or stamps required by this act for the use of inspectors of election or electors in preparing their ballots. All books, blanks, printing, stationery, and so forth, required by this act to be furnished by the City Clerk, shall be procured by him at the expense of said city, and the bills or claims therefor shall be audited and allowed by the common council.

Registers and the election lists to be furnished Board at the opening of its session.

Sec. 16. At least seven days previous to the commencement of any session of the district board of registration, the City Clerk,

Notice.

at the expense of the city, shall cause a notice thereof to be printed and published in not to exceed two daily newspapers in said city, designating the places of holding the same, which notice shall be published not more than three times in each of said newspapers, and shall also contain a true copy of section one of article seven of the constitution, relative to the qualification of electors.

City Clerk to
deliver copy
of register.

Sec. 17. It shall be the duty of the City Clerk, on the demand of any qualified elector of said city, on payment or tender of his legal fees, to make out, certify, and at his office deliver to such elector a true copy of the contents of any register of electors of any district of said city, for which he shall be entitled to receive compensation at the rate of twenty-five cents for every one hundred names.

Compen-
sation.

Sec. 18. Each member of a district board of registration, while acting under this act, shall be entitled to receive four dollars a day for every day he shall actually serve in performing his duties, to be paid by the city, and he shall not be entitled to receive for such services any other sum whatever. The two members of the district board of registration who were appointed by the common council, as provided by an amendment to this chapter, approved March fifth, eighteen hundred and ninety-five, together with a chairman to be designated by the common council, as now provided by law, shall constitute such district board of registration, and complete the registration of electors at the registration to be held in the month of October respectively in the year eighteen hundred and ninety-five. The present registration books shall continue to be used and electors registered therein until the year eighteen hundred and ninety-six, when the form of registration provided by this act, and the provisions of this act relative to registration therein shall be held to apply and

govern. Until the form of register herein prescribed is used, it shall not be necessary to observe the requirements of subdivisions three, four, five, six, seven and nine of section eight. In all other respects, including the preparation and use of the election list of electors, the provisions of this act in respect to registration shall be held applicable to all future registration of electors in said city, but it shall not be necessary until the form of register herein prescribed is used to enter or copy from the register to the election list of electors any registry numbers; Provided, That in all new districts formed by the division of existing districts or otherwise, the form of register herein prescribed shall be used.

Sec. 19. Women who reside in the district, who, if they were males, would be qualified electors therein, may be registered at the registration immediately preceding the election held for the choosing of school inspectors, but they shall be registered in a separate register of the form herein prescribed, and all the provisions of this act, so far as they may be relevant, shall apply to and govern such registration. The names of women who may be registered shall be entered on the list of electors for the district, but separated from the names of the male electors.

Registration
of Women.

Sec. 20. On Monday, the day preceding the November election, in every year, and on Saturday preceding the biennial spring election, the registrars at each and every election district shall meet at two o'clock in the afternoon at the polling place appointed for holding elections therein, and therein remain in session until nine o'clock in the evening. Such meetings shall be held for the purpose of receiving and acting upon any application for either granting or receiving certificates of removal, and for the purpose of correcting any mistakes as herein provided for, and for the purpose of registering qualified voters who

Registrars to
meet for the
purpose of
acting upon
applications
for certifi-
cates and to
register ab-
sentees.

may have been absent from said city or sick on the days appointed for registration as hereinafter provided. No new names shall be placed on the register at such meeting, excepting upon certificates of removal from some other districts, or of voters who may have been sick or absent, as hereinafter provided. If any material error or mistake in the description of any elector in said district has been discovered, he may appear at the meeting and on good cause being shown the registrars may then correct the same, but any change in the register which shall be allowed by the registrars at such meeting must be immediately noted by them in the register and also in the book containing the election list for the use of the inspectors of election, as above provided, and if not then those so noted shall be wholly null, and disregarded by the inspectors of election. At such meeting said board may register any qualified voter of such district upon the personal application of such person, whom they may require to state in writing that he was necessarily and unavoidably absent from said city on all the days appointed or allowed by this act for the registration of electors immediately preceding said election, specifying the same and the business in which he was engaged, or that he was sick, and by reason thereof was unable to attend the sessions of the district board of electors of the district as aforesaid for the registration of electors, which statement shall be subscribed and sworn to by said applicant before one of said registrars, each of whom shall have authority to administer such oaths. Said registrar shall require such applicant to answer under oath all proper questions which it shall be their duty to put, touching his residence and other qualifications as an elector of the district in which he asked to be registered, and such other matters as are required to be entered in said register, and if satisfied that such applicant is a resident of such district, and that he is qualified to vote therein, but not otherwise, said

registrars shall enter said applicant as registered in the register of said district and in the election list of electors. The registrars may at such meeting register upon certificates of removal any elector then resident of said district, in the same manner as herein provided for registration of like applicants on the days appointed for holding of the other sessions of said board. At such meeting held under the provisions of this section, any elector may appear and challenge the vote of any person named in the register of such district, and the word "challenge" shall be immediately entered by the registrars opposite the name of such person in the list of electors, and if he shall offer to vote at any election, the inspector of election shall at such time examine him under oath as to his qualifications as elector in such precinct, and they shall also make a like examination of any other person named in said list and opposite whose name the word "challenge" is written, the same in all respects and with like effect as though they had been challenged at the election by a challenger thereof. On Monday in each year preceding the November election, and on the Saturday preceding the biennial spring election, and on the secular day next preceding any special election, the district registrars of election and the three inspectors of election for each district shall meet at the polling place appointed for holding the election therein, at eight o'clock in the evening punctually, and then and there organize as a board of inspectors of election, and the members of said district board of registration and the three inspectors of election and their successors in office shall constitute the board of inspectors for such district. They shall at this meeting make all necessary arrangements for the proper accommodation of themselves and the clerks of election in receiving and calling ballots at the ensuing election, and for the witnesses and challengers designated as hereinafter provided to be admitted within the polling rooms,

Organization
of Board of
Inspectors.

and at such meeting they shall appoint two clerks of election for the ensuing election.

Inspectors of
Election.

Sec. 21. There shall be elected in and for each election district of the City of Detroit, at the next November election following the time when this act shall take effect, and annually hereafter, three qualified electors of such district, who, together with the three registrars of electors, shall constitute a board of inspectors of election for such election district. Such inspectors shall be elected by ballot, and upon being so elected they shall qualify by filing with the City Clerk the constitutional oath of office and shall hold their said office for one year from the first day of January next after their election, and until their successors are elected and qualified, and any vacancy in their number caused by failure to elect by ballot, as hereinafter provided, or inability to act by removal, death or other cause, or by any refusal to serve of the person so elected, may be filled for the remainder of said term by the electors present, by viva voce vote, at the opening of the polls at any general or special election, and if any of the said inspectors be sick or absent his place may, in like manner, be filled for the time being upon the opening of the polls at any general or special election.

Term of
office.

Vacancies,
how filled.

Inspectors,
how elected.

Sec. 22. In all elections for inspectors to be elected as above provided, no elector shall vote for more than two candidates, and from the whole number of votes cast the three inspectors receiving the largest number shall be elected. The votes shall be determined as in case of election of other city officers.

Clerks.

Sec. 23. The board of inspectors, shall, as above provided, appoint two clerks of election who shall take the same oath as the inspectors, which oath either of the inspectors may administer. The chairman of the board of registration shall also be chairman of the said board of inspectors. In all cases of filling

Who shall be
Chairman.

of vacancy, or vacancies, by viva voce vote of the electors under this act, the chairman or any member of the board appointed by the board for that purpose, when the time for opening the polls has arrived, shall announce such opening of the polls, and that it was necessary to fill such vacancy, whereupon the qualified electors present may proceed to nominate and elect a suitable person or persons to fill such vacancy or vacancies, and the person or persons so chosen shall take the oath of office which either of said inspectors or any person authorized to administer oaths, may administer, and he shall thereupon take his seat and act as a member of said board; the oath of office shall be subscribed by the person taking the same, and the officer administering the oath shall file it in the office of the City Clerk after the close of the election. The inspectors so chosen aforesaid, together with the registrars for the district, shall constitute the board of inspectors of election for such district.

Vacancy in
Board of In-
spectors and
how filled.

Sec. 24. No person shall be permitted to vote unless he shall be a resident of the district and he shall have resided in this state six months next preceding the election, and in the ward twenty days next preceding the election, and shall possess the other qualifications specified in section one, article seven, of the constitution of this state. And in determining the residence of a person offering to vote or to register, the following general rules, so far as applicable, shall govern.

Residence.

First. The place shall be considered the residence of the person in which his habitation is fixed, and to which, whenever he is absent, he has the intention of returning.

Second. A person shall not be considered to have lost his residence who leaves his home and goes into another state or place for temporary purposes merely, with the intention of returning.

Third. A person shall not be considered to have gained a residence in any district into which he comes for temporary purposes merely, without the intention of making such district his home. If a person removes to another state with an intention of making it his permanent residence, he shall be considered to have lost his residence in this state.

Fourth. If a person removes to another state with an intention of remaining there an indefinite time, and a place of present residence, he shall be considered to have lost his residence in this state, notwithstanding he may maintain an intention to return at some future period.

Fifth. If a person go into another state, and while there exercise the right of a citizen by voting, he shall be considered to have lost his residence in this state.

Sixth. A person must not be held to have gained or lost a residence by reason of his presence or absence from a place while employed in the service of the United States or of this state nor while engaged in navigation, nor while a student in any institution of learning, nor while kept in an alms house, asylum or prison.

Seventh. The place where the family of a married man resides shall be considered and held to be the place of his residence, except where the wife and husband have separated and lived apart, then the place where they resided at the time of the separation shall be considered there to be his place of residence, unless he afterward, and during the time of such separation, remove from such place, in which case the ward in which he resides the length of time required by the provisions of this section to entitle a person to vote, shall be considered and held to be the ward of his place of residence.

Eighth. If the place where a man's family resides be a place of temporary establishment, or for transient objects, it shall not necessarily govern as his place of residence.

Ninth. The mere intention to acquire a new residence, without the fact of removal, avails nothing; neither does the fact of removal without the intention.

Tenth. When a party takes his meals in one place and sleeps in another, the place in which he habitually sleeps shall be his place of residence, unless it appears that he takes his meals with his family or relatives, or at some place which he considers his home, and intends to consider as such, and in such case the place where he takes his meals shall be his place of residence.

Eleventh. The term of residence must be computed by including the day on which the person's residence commenced, and excluding the day of election.

Sec. 25. It shall be the duty of the Common Council of said city to select and secure suitable places for holding in each election district the session of the district board of registration of electors, and in like manner to select and secure places in the several election districts for holding elections. The Common Council may cause temporary structures suitable for the purpose to be constructed, and for that purpose may occupy temporarily portions of the highway as sites for such structures. Places for registration shall be selected before the time when the City Clerk is required to publish notice of the places of which the several boards of registration will hold their sessions, and a like designation of the places for holding the election will be made before the time when the City Clerk is required to publish notice of such election, and the City Clerk in his notice of the sessions of such boards of registration, and in his notices of the holding the election, will designate the places so selected as the places of said sessions and holding the elections respectively. The expense of procuring said places or erecting temporary structures or booths for the purposes mentioned and of the neces-

Places for
holding regis-
trations and
elections.

Where registrations and elections shall not be held.

sary furniture, heating and lighting, may be paid from the general or contingent fund as the Council may determine, or from a fund specially raised for that purpose. No board of registration shall hold its sessions nor shall any election be held in any saloon or bar-room, or in any place where wine, beer or any spirituous liquors are sold, or in any room or place connected therewith, nor shall any such place be selected or designated, and should any place be designated or appointed for holding a session of the board of registration or for holding an election in violation hereof, or become subject to such interdiction after having been so designated, it shall be the duty of the board of registration on or before the commencement of their session, and it shall be the duty of the inspectors of election on or before the day of such election, and before the opening of the polls on such day, to procure a suitable place as near thereto as may be not subject to like interdiction. The board of registration shall cause notices to be posted up in a conspicuous place at the place designated by the Common Council of such change, and shall thereupon proceed and hold their sessions at the place designated in such notice and procured by them as above provided. The inspectors of election shall meet at the place first designated, at the time for opening the polls, and after any vacancy in their number shall have been filled, adjourn to the place chosen by them, and at the time of said adjournment give public notice to the electors present by proclamation of such change, and of the place where such election shall be held, and by posting at such place first designated a conspicuous notice of such change, and all expense attending such changes shall be certified by such registrars or inspectors of said city to the Common Council and shall be allowed and paid accordingly. And it shall be unlawful for any person to take any wine or beer or other spirituous or malt liquors or cause the same to be brought into any room or

Wine, beer, spirituous or malt liquors unlawful.

apartment at which sessions of any board of registration may be held during the session thereof, or into any room or apartment used as a place for the marking, casting or receiving or for the counting of votes at any election, from the opening of the polls to and including the canvass of the votes and completion of the returns thereof, or to have, partake of, or drink in any such room or apartment during the session of such board of registration or during the holding of such election, and the canvass of votes as aforesaid, any spirituous or malt liquors whatever, or for any registrar, inspector or clerk of election, or any gate-keeper, challenger or witness appointed as provided by this act to become drunk or intoxicated during the session of said board of registration or during any of the time of the holding of said elections and canvass of votes as aforesaid; any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

Sec. 26. It shall be the duty of the City Clerk, at least seven Notice. days before any election, to give notice thereof in not to exceed two daily newspapers published in said city, which notice shall be published not more than three times in each of said newspapers. The notice shall specify the officers to be chosen, the day on which the election is to be held, the time for opening the polls, and the place in each election district where the election is to be held.

Sec. 27. The City Clerk, Corporation Counsel and City Treasurer shall constitute a board of election commissioners for said Election Commissioners. city, two of whom shall constitute a quorum, and they shall choose their own chairman and secretary, and shall severally receive as a compensation for their services at each election fifty dollars and no more. It shall be the duty of said board to prepare and cause to be printed ballots for election of all the city

officers for whom the electors are entitled to vote, and for all proposed questions to be submitted by the Common Council as provided by this act, or any other act or acts, to the electors of said city. The candidates whose names shall be printed on said ballots shall be ascertained and determined, and be certified to the board of election commissioners as hereinafter provided.

Ballots.

Sec. 28. Every* ballot must be printed on paper uniform in size, color, weight, texture and appearance, and shall not have any mark or thing on the back, edge or outside thereof, except as provided by this act, whereby it might be distinguished from any other ballot, or so that it can be ascertained by what person or what class of persons they were used or voted, and they shall not contain any mark, color or device on the face of the ballot by which one ballot may be distinguished from another when folded.

Instructions
for marking

Ballots shall be printed substantially in the form and as prescribed by the general election laws of this State for the election of State and county officers, excepting that the instructions printed on the ballot shall be as follows: "Instructions: Mark a cross [X] in the square under the name of your party at the head of the ballot. If you desire to vote a straight ticket nothing further need to be done. If you do not desire to vote for any candidate under the name of your party erase the name of such candidate. If you desire to vote for a candidate on a different ticket, make a cross in the square before the name of the candidate you desire to vote for, or write his name in the space under the name erased. A ticket marked with a cross under the party name will be deemed a vote for each of the candidates named in such party column, unless you erase the name of some candidate in that column or mark a cross before the name of a candidate in some other column. If the name of a candidate in some other column is marked with a cross it will be deemed a

vote for such candidate. Before leaving the booth fold the ballot so that the initials of the inspector may be seen on the outside." At the top of the ballot for city, ward or district officers, should be printed the words "City Ticket," followed by the number of the ward and district in pica type. It shall be the duty and the privilege of the respective city committees of the different political organizations to furnish the election commissioners the names of the candidates of their political organization to be voted for at the then next election, and to designate the name of the party or political organization which they represent, and such names shall be furnished and name designated not less than seven days before such election. The names so furnished should be those of all candidates nominated at any regular called convention or caucus at which candidates for any of the offices required to be selected shall be nominated, and no other names unless authorized or instructed by said convention or caucus. All the names of parties so nominated shall be certified to by the chairman and secretary of the respective city committees of their political organization. No vignette shall be furnished or printed on any ballot. The printed copy of the ballot shall be open to the inspection of and correction by the chairman of each committee furnishing the names of candidates and of and by any candidate known thereon, and it shall be the duty of the election commissioners to correct such errors which may be found therein by such inspectors. The election commissioners shall cause the names of all candidates for the various offices provided by this act to be voted for at any election and certified as provided herein, to be printed on one ballot; all nominations of any party to be placed under the title or heading designated by the city committee as aforesaid; they shall also cause any proposition or other question to be submitted to the electors of said city for popular vote, to be printed on the ballot as above provided. In

City Committee to furnish names of candidates.

case of the death, removal or withdrawal of any candidate, after the printing of such ballots and before the day of election, the chairman of the city committee of the political party to which said candidate belongs shall transmit to the election commissioners the name of the person so selected by such party to fill such vacancy, and said commissioners shall provide the election board of each district in which such candidate is to be voted for with a number of pasters containing only the name of such new candidate, at least equal to the number of ballots provided for such district, but no paster shall be given or received by any one except such election board, and it shall be the duty of the board of inspectors of election to put one of such pasters in a careful and proper manner in the proper place on each ballot before it shall be given to any elector for the purpose of voting. If the death, removal or withdrawal shall occur before the printing of the ballot, the necessary change in such ballot shall be made by the commissioners, having been communicated by the proper committee of the political organizations to which such candidates belong. The use of slips or pasters, excepting as provided by this section, is forbidden, and any ballot containing such slips or pasters, excepting as herein provided, shall be rejected.

How to
Vote on
Propositions.

Sec. 29. When any proposition is to be submitted to the electors in said city by the Common Council, or by any provisions of law, it shall be printed upon the ballot immediately following the names of candidates for office; the proposition shall be stated and followed by the word "Yes," opposite which will be placed a square similar to those opposite the names of candidates for offices, and then repeated, followed by the word "No" and a similar square, and any voter desiring to vote affirmatively or negatively may put a cross in one of the said squares, and the

ballot shall be counted affirmatively or negatively, according to the place in which the elector shall make such cross.

Sec. 30. It shall be unlawful for any person to print, issue, distribute or circulate in said City of Detroit, or to request or cause any other person to print, issue or circulate, or request any elector to vote any ballot, or to vote any ballot, excepting such ballot for the election of city officers as shall have been printed under the authority of this act, or any counterfeit or imitation of such ballots, and intended or adapted to mislead or deceive, and any person so offending shall on conviction thereof be punished by a fine, not exceeding one thousand dollars or less than one hundred dollars, and by imprisonment in the Detroit House of Correction not more than one year or less than thirty days, or by both fine and imprisonment.

Punishment
for using
ballots
illegally.

Sec. 31. It shall not be lawful for the printer of such ballots, or any other person, to give or deliver to, or knowingly permit to be taken, any of said ballots by any person or persons other than the board of election commissioners, or to print or cause to be printed any ballot in any other form than the one prescribed by this act, or with any other name thereon, or with the name misspelled, or the names thereon arranged in any other way than that authorized and directed by the said election commissioners, and a violation of this section shall be deemed a misdemeanor and be punished accordingly.

Ballots to be
delivered to
Board of
Election
Commissioners.

Sec. 32. It shall be the duty of the said election commissioners to provide a sufficient number of ballots, at least two to each elector of any district, according to the vote of the last preceding general election; there shall be provided and delivered to the board of election inspectors of each voting district such number of bottles of ink and pens and of German blue pencils for marking ballots and writing names thereon as may be necessary.

Enough
ballots to be
supplied.

The expense of printing ballots shall be certified by the commissioners and paid from the same fund as other election expenses. The necessary number of ballots shall be wrapped and tied in packages and securely sealed with wax, and the chairman of the board of election commissioners, or some other member thereof authorized by the board, shall make and sign a certificate setting forth the number of ballots in such package, and that such ballots were packed and sealed by himself personally, which certificate shall be securely attached to the package, and for the safe sealing of such ballots the commissioners shall provide themselves with a seal of such design as they may deem proper. Said packages shall not be opened until delivered to the board of inspectors of the proper district which shall be designated on the package, when said board shall be fully organized and ready for the reception of votes as herein provided.

Superintendent of Police to keep ballot boxes, etc.

Sec. 33. It shall be the duty of the superintendent of police to see that the ballot boxes belonging to the city are kept in good and suitable condition, and prior to every election he shall see that the proper boxes are ready for use, and on the day before election shall apply to the election commissioners for the ballots printed as provided by this act, and to the board of election commissioners of the county for the ballots prepared by them, for use in said city, and it shall be the duty of said boards respectively to deliver the same to him, and he shall receipt therefor. He shall also receive from the City Clerk all necessary stationery, seals, blanks, "register of electors," poll books and "election list of electors," and by safe and trusty messengers deliver the same to the respective boards of inspectors of election at the polls at which they are intended to be used. Said superintendent shall in like manner procure the necessary books, blanks and stationery and deliver the same to the respective boards of registration at their several sessions, and at the close

of the session of said registration board and of the sessions of the board of inspectors shall receive all such books and blanks, ballot-boxes and ballots, and any other articles which may not have been used or required, and deliver the same to the proper custodian. The said superintendent shall take a receipt from the chairman of the board of inspectors for the number of ballots delivered to the board as indicated in the certificate of the commissioners thereto attached, and upon receiving the unused ballots from the inspector shall carefully count and receipt for the number thereof delivered to him by said board, marking on the package, which shall be securely sealed, the number so receipted for, and after the receipts shall have been made and signed the package of unused ballots shall be delivered to the superintendent of police, who shall destroy the same after having made an entry in a book kept by him for the purpose of the number of ballots so returned.

Sec. 34. The Common Council shall provide for and cause to be erected in the room where the election is to be held, a railing or fence four feet in height, which railing or fence shall extend through and across the room, and shall cause a gate to be erected in said railing. The gate shall be in charge of a gate-keeper appointed at the opening of the polls by the board of election inspectors, and duly sworn to allow no person to pass through said gate and enter said railing, except to vote or by direction of the said board of inspectors, and no other persons excepting such as the inspectors are required to admit within the inclosure where they may sit, shall be allowed to the inside of the railing except to vote or to assist an elector in the preparation of his ballot as hereinafter provided, and by direction of said inspectors, and as soon as an elector has voted he shall retire without and shall not again be admitted within the railing, and only as many electors as there are booths shall be allowed

Common
Council to
provide regu-
lation booths.

Duty of Gate-
keeper.

within the railing at one and the same time, and the electors shall be admitted in the order in which they shall apply. Inside of the railing a booth or temporary room shall be erected, and at least one such booth shall be provided in each polling place for each one hundred persons entitled to vote thereat, as shown by the last preceding registration of electors; such booth or temporary room shall be built with walls not less than six feet high and in such a manner that the person preparing the ballot shall be concealed from all other persons. The passage way to and from the booths shall be separated from the place in which the inspectors may sit by a railing three feet or more in height, to which, when the elector offers his vote, he shall approach and over the same deliver his vote to the inspector authorized to receive the same. No person shall be permitted within the inclosure within which the inspectors shall sit unless by special order of the board of inspectors, excepting such persons as the board are herein directed to admit within the inclosure.

Opening and
closing of
polls.

Sec. 35. The polls of the election shall be open at seven o'clock, local time, in the forenoon, and shall be continued open until eight o'clock, local time, upon the evening of the same day, and no longer, nor shall an adjournment or recess be taken from the opening of the polls until the canvass shall have been completed and the returns made and signed, and delivered to the proper inspectors as hereinafter provided. At every election the city committee of any party may by the certificate of its chairman and secretary, in writing, signed by them, designate not more than one elector of said city as witness, and one other elector as challenger, to attend at the election in behalf of such party and its candidates whose names are printed on the ticket at each election district, and it shall be the duty of the inspectors of election in every election district to admit the witnesses and challengers so accredited in the inclosure with themselves

Witness and
Challenger.

and the clerks at such election, and place them so near to themselves and the clerks that they can fully and conveniently watch every proceeding of the inspectors and clerks from the time of opening the polls until the counting, certifying and signing of the final returns of the election. Before the opening of the polls the ballot-boxes shall be opened, if requested by either of them, so that the inside and the locks and keys may be inspected by them. No ballot-box nor any ballot when taken from it for counting shall be removed or screened from the constant sight of such witnesses or challengers until the counting has been closed and the certificates of the final return completed and signed by the inspectors, and the ballot-box locked and sealed. The challengers so designated shall be so placed that they can fully see and meet every person offering a ballot to the inspectors or either of them. (As amended by Act approved April 16, 1903.)

Sec. 36. At the opening of the polls after the organization of and in the presence of the board of inspectors, one of the inspectors shall open the package of ballots in such manner as to preserve the seal intact, and if possible the certificates attached thereto; he shall then deliver to one of the inspectors, to be designated by the board, fifty of the ballots, and shall place at least two German blue pencils for marking the ballots in each of the booths. The inspector so designated shall at once proceed to write his initials in ink on the upper left-hand corner of the back of each of said ballots in his ordinary handwriting, and without any distinguishing mark of any kind. As each successive elector calls for a ballot, another one of the inspectors shall deliver to him the first signed of the fifty ballots, and as the supply of ballots in the hands of the inspector shall decrease, additional ballots shall be signed by the same inspector, so that at least twenty-five ballots so signed shall be at all times in the hands of the inspector delivering the ballot to the elector.

Opening of
packages of
ballots.

Pencils to be
placed in
booths.

Inspector to
write his
initials on
ballots.

How ballots
shall be
deposited.

Sec. 37. No ballot shall be deposited in the ballot box until the name of the elector offering it and his residence shall first have been stated by him and announced aloud by the inspector holding the ballot, nor until the name shall have been found on the election list of electors and so announced by the inspector holding such list. Every ballot must be put into the ballot box by the inspector who receives it from the elector, and the ballot be so held forth by the inspector that it shall be in full view of the elector until actually put into the box, and immediately upon depositing the ballot into the ballot box, the inspector or clerk having charge of the election list of electors shall check off the name of such elector in such list by marking the word "voted" in the proper column and in the line with the elector's name, and the name of such elector entered on the poll list.

Challenges.

Sec. 38. Any registered elector when offering to vote may nevertheless be challenged by any elector or challenger as a non-resident, or for any other causes allowed by law, and he shall be sworn, and the same proceedings thereupon had as in other cases of challenge; and whenever it appears that the word "challenge" is written opposite the name of any elector in the election list of electors, it shall be the duty of the inspector to challenge such elector and cause him to be sworn the same as though he had been challenged by an elector present. In all cases of challenge, the inspector holding the election list of electors as aforesaid shall note the word "sworn" opposite the name of the person challenged, whether the person offering to vote shall be permitted to vote or not. The register of electors may be referred to in all cases of disagreement and doubt on any question during the election, and such register when relevant shall be conclusive.

Duty of In-
spector to
challenge.

Sec. 39. It shall be the duty of each inspector to challenge every person offering a ballot whom he shall know or suspect to

be disqualified as an elector; when an elector shall not be challenged or shall have taken the necessary vote or affirmation, he shall be permitted to vote, but not otherwise. If any person offering to vote shall be challenged as unqualified by any inspector, challenger, or elector entitled to vote at that poll, the chairman of the board of inspectors shall declare to the person challenged the constitutional qualifications of an elector, and if such person shall state that he is a qualified elector and the challenge is not withdrawn, one of the inspectors shall tender to him such one of the following oaths as he may claim to contain the grounds of his qualifications to vote:

"You do solemnly swear (or affirm) that you are twenty-one Oath. years of age, that you are a citizen of the United States, that you are now a resident of this election district, and that you have resided in this state six months next preceding this day, and in this ward twenty days next preceding this day, and that you have not voted at this election." Or, "You do solemnly swear (or affirm) that you are twenty-one years of age, that you resided in this state on the twenty-fourth day of June, eighteen hundred and thirty-five, that you have resided in this state six months next preceding this day, and in this ward twenty days next preceding this day, and now reside in this election district, and that you have not voted at this election." Or, "You do solemnly swear (or affirm) that you are twenty-one years of age, and that you resided in this state on the first day of January, eighteen hundred and fifty, that you have resided in this state six months next preceding this day, and are now a resident of this election district, and that you have not voted at this election." Or, "You do solemnly swear (or affirm) that you are twenty-one years of age, that you resided in this state two years and six months prior to the eighth day of November, one thousand eight hundred and ninety-four, that you declared your inten-

tion to become a citizen of the United States two years and six months prior to the eighth day of November, one thousand eight hundred and ninety-four, pursuant to the laws thereof, that you have resided in this state six months next preceding this day, and in this ward twenty days preceding this day, that you are now a resident of this election district, and that you have not voted at this election." Or, "You do solemnly swear (or affirm) that you are twenty-one years of age, and that you are a native of the United States, that you are a civilized inhabitant of Indian descent and not a member of any tribe, that you have resided in this state six months next preceding this day, and in this ward twenty days next preceding this day, that you are now a resident of this election district, and that you have not voted at this election." If the person so challenged shall take such oath his vote shall be received, but if he shall swear falsely, upon conviction thereof, he shall be liable to the pains and penalties of perjury.

Method of
voting.

Sec. 40. On entering the room the inspector holding the ballots shall deliver to any elector applying to vote one of them, and on request shall give an explanation of the manner of voting; if deemed necessary by the board an interpreter may be called. The elector shall then and without leaving the room go alone into a booth which is unoccupied and indicate the candidates for whom he desires to vote as follows: Any elector may mark a cross in the space below the party name printed at the head of the ballot. If marked thus, such ballot shall be counted for all the nominees of such party whose names appear on the ballot in that column unless the voters shall have erased some name in the column or marked a cross before the name of a candidate for the same office in some other column, or written in the name under the name of any candidate in the column of which the elector may have made a mark in the space below the party named. If the voter shall erase some name in the column,

the votes shall not be counted for the person whose name is erased. If he shall have marked a cross before the name of a candidate in some other column, the votes shall be counted for such candidate. If the voter shall have written in the name under the name of any candidate in a column at the head of which he shall have made a mark or cross, the name of the person so written shall be deemed to have been voted for by such ballot unless the voter shall have also marked before the name of some other candidate for the same office a cross, in which case the ballot shall be rejected for such office as being a double ballot. If a ballot is found in any ballot box containing the same name of the person and the office for which he is designated, or either of them, two or more times, and shall contain a cross opposite such names or name, it must not for that reason be rejected, but shall be counted as one vote, provided that the election commissioners shall not place on any ballot the name of any person for the same office more than once, notwithstanding he may appear as certified by more than one committee, and as provided by law. Votes cast for two or more persons for the same office, except in cases provided by law, shall be rejected; when it shall be lawful to vote for two or more persons for the same office, the name of the office shall be printed in the first column, and opposite to it, in the appropriate column, the names of all candidates of such party for such office, the names following each other being placed opposite to other names of other parties in the other columns, and if a voter shall place a cross opposite the name of either of said candidates, it shall be considered that he has erased the name of the candidate for such office upon his ticket which is printed immediately opposite the name so marked unless he shall also erase some name upon his ticket for the same office, but it shall be unlawful to vote for more persons than there are officers to be voted for at such

election and all votes cast for more persons than there are offices to be filled shall be rejected.

Distinguish-
ing marks.

Sec. 41. When a ballot found in any ballot box bears any impression, device, color or thing on its face or outside thereof excepting as provided by this act designed to distinguish such ballots from other legal ballots, it must with all its contents be rejected, and any ballot bearing any impression, device, color or thing upon its face or so marked upon the edges that when folded and delivered to the inspectors it may be distinguished from other ballots, or as to designate or impart knowledge of the person who voted such ballot, it must with all its contents be rejected. Whenever the board of inspectors rejects a ballot, it must be at the time of such rejection cause to be made thereon, signed by a majority of the board, an endorsement of such rejection and of the causes thereof.

Ballot boxes.

Sec. 42. The ballot box shall be provided with double covers, one inside the other, hinged, and each with a lock and key, and when locked one of the keys shall during the time of the election be held by one of the inspectors and one key by another of the inspectors. Said coverings shall have openings of the proper size to admit a single closed ballot, and therein each ballot received shall be inserted. At the opening of the polls the ballot boxes shall be opened and turned upside down so as to empty them of anything that may be in them, and it shall be the duty of the inspectors to offer to such persons as may be present the privilege of examining the same in their presence. They shall then be locked, and the boxes shall not again be opened until the counting of the ballots begins; one of the clerks shall keep a poll list which shall contain the names of all electors whose ballots were received at such election, and opposite each name shall enter the number of such elector consecutively in the order which the electors vote. For the election at which school in-

spectors shall be chosen, additional boxes shall be provided for the ballots cast by registered women electors. Women electors may be challenged, and before their votes are received shall be required to take an oath or affirmation the same as male electors. In making the returns of such election, a separate return shall be made of the votes cast by women, but the aggregate vote returned shall include the votes of all women electors, but no ballot shall be received from any woman unless she shall have registered, and would be a qualified elector in the district if she were a male elector, but if so registered and qualified, women residing in the district shall be entitled to vote for school inspectors.

Separate
returns
to be made of
votes cast by
women.

Sec. 43. If any elector shall show his ballot or any part thereof to any person (other than one lawfully assisting him in the preparation thereof), after the same shall have been marked, so as to disclose the name of any candidate marked by him, such ballot shall not be received or deposited in the ballot box. In case such elector shall so expose his ballot, his name shall be entered on the poll list with a minute of such occurrence, and such elector shall not be allowed to vote thereafter at said election. The elector shall then leave the room, but no elector to whom a ballot has been delivered shall be permitted to leave the room without voting the ballot or returning it to the inspector from whom he received it. Any elector who shall attempt to leave the room with a ballot, or with any book, pencil, stationery or other paraphernalia of the election in his possession, shall be at once arrested on demand of any member of the board of inspectors if he shall refuse to deliver the same upon request.

Exhibiting
ballot or
carrying
ballots away.

Sec. 44. No ballot shall be distributed by any person other than one of the inspectors of election, nor in any place except within the railing of the voting room to electors about to vote, and no ballot which has not the initials of a member of the

Inspectors
shall distrib-
ute ballots,
and assist
ignorant
voters.

board of election inspectors written by such inspector on the back thereof shall be placed in the ballot box. When any elector shall make oath that he cannot read English, or that because of physical disability he cannot mark his ballot, or when such disability shall be made manifest to said inspectors, his ballot shall be marked for him by an inspector designated by the board for that purpose, who is not a candidate on that ticket, in the presence of at least one other inspector, and in the presence of the witnesses, or such of them as may be present, appointed by the chairman of the different political parties as herein provided. Any inspector or person who shall mark a ballot for any elector, excepting as provided by this act, and in the presence of one other inspector and said witness, shall be deemed guilty of a misdemeanor, and shall be punished accordingly, provided the imprisonment shall not exceed thirty days nor the fine exceed two hundred dollars, and the fine and imprisonment may both be imposed. A suitable place shall be provided for the marking of ballots by an inspector for electors unable to mark the same as herein provided, inside the railing, at which the elector, the inspectors and the witnesses may be accommodated so that all of such persons may be present and witness such marking.

Spoiled ballots.

Sec. 45. If any elector inadvertently spoils a ballot, he may obtain another from the board by returning such spoiled ballot to the board, who shall preserve the same for return with the other unused ballots. It shall be unlawful for the board of inspectors, or any of them, or any person in the polling room or any compartment therewith connected, to persuade or to endeavor to persuade any person to vote for or against any particular candidate or party ticket.

Inspectors to keep an account of all ballots.

Sec. 46. The board of inspectors of election shall preserve the unused ballots, together with the ballots which have been spoiled, and shall deliver the same to the superintendent of po-

lice or to his duly authorized messenger, taking his receipt therefor as above provided. A statement of the number of ballots used shall be enclosed with the ballots returned. Two ballot boxes shall be provided other than those provided for women voters, one for the reception of votes cast prior to two o'clock and one for votes cast after that hour. At two o'clock, the clerk having charge of the poll list shall draw a line under the last name entered in the list, and shall write thereunder the words "two o'clock count commenced," which shall be signed by the chairman of the board and attested by such clerk. The number of votes shown by the poll list up to the hour of two o'clock shall be counted and compared with the number checked off in the election list of electors up to that time, and the number of voters having been ascertained and agreed upon, the result shall be certified in the poll book, in which proper blanks shall be printed for that purpose. The box then containing the ballots cast up to the hour of two o'clock shall then be opened, and before opening any ballot or ascertaining its contents, the number of ballots shall first be counted. If the number of ballots exceed the number of names on the poll books certified as aforesaid, the ballots shall then be replaced in the box, and one of the inspectors, with his back to the box, and without seeing it, shall draw out, without showing them, a number of ballots equal to the excess, and if during the counting of the ballots, or at the conclusion of the counting, an excess of ballots be discovered, all the ballots shall then be returned to the box, and after being thoroughly mingled, the excess shall, in the manner directed above, be drawn out and the count corrected accordingly. In all cases where ballots have been drawn out, a minute of the number so drawn shall be returned with the unused ballots to the superintendent of police, and by him destroyed. If two or more separate ballots are found so folded together as to present the appearance

Two o'clock
count.

Procedure in
counting.

of a single ballot, they must be laid aside until the count of the ballots is completed; then, if, upon comparison of the count, the number and names of electors on the poll book, it appears that the two ballots thus folded together were cast by one elector, they must both be rejected and returned with other unused ballots. The ballots and poll list agreeing, or being made to agree, in this way, the board shall proceed to count the vote in the following manner: If a proposition shall have been submitted to the vote of the electors at that election, all the ballots shall be first separated into three piles, the first pile containing all the ballots in favor of such proposition, the second pile containing all the ballots against such proposition, and the third pile containing all the ballots not mentioning such proposition, or being neither for nor against such proposition. At least three of the inspectors shall then examine each pile, and see that the separation has been properly made; then the first pile of ballots shall be carefully counted and the result announced to the clerk, who shall tally the same, and so the second pile shall be counted, announced and tallied, and likewise the third pile necessary, whereupon the clerk shall announce to the inspectors the number of votes for and the number of votes against such proposition. The ballots for and against any proposition to be made shall always be canvassed, counted and tallied before the names of candidates for any office are canvassed, counted or tallied, and it shall be the legal duty of the inspectors and clerks of election to make a true count and correct return of all votes upon any such proposition, and any wilful failure or neglect of any inspector or clerk to do so shall be a misdemeanor, and punished accordingly. After completing the counting and tallying of the votes on any such proposition, those ballots which contain names which are marked alike, and commonly known as straight tickets, shall be placed together so that the several kinds shall be in separate piles

Ballots for
and against a
proposition to
be counted
first.

or on separate files. At least two of the inspectors shall each examine the separate piles which are, or are supposed to be alike, and exclude from such piles any which have a name erased or in any manner shall be different from the others of such pile. One of said inspectors shall then take one pile of the kind of ballots which are marked alike, and count them in such subdivisions thereof as may be convenient for a prompt and careful determination of the result of such election, carefully examining each name and each of said ballots. Such inspector shall then pass the ballots aforesaid to another inspector, who shall then count them in the same manner and who shall pass them to a third inspector, who shall also count them in the same manner. The third inspector shall then call the names of the persons marked or voted for by such ballots, and the offices for which they are designated, and the clerk shall tally the number of votes counted, and so called for each of such persons. When the said inspectors shall have gone through one of such piles of ballots known as straight tickets, and the clerk shall have tallied all the votes for each of such persons, they shall then take up the next pile of ballots containing the names which are marked alike, and shall count them in the same way, and shall call the names of the persons named in said ballots, and the offices for which they are designated, and the tally clerk shall tally the votes for each of said persons in the same manner as in the first instance. When the counting of each pile of ballots, which contain names which are marked alike, shall be completed, the clerks shall compare their tallies together, and ascertain the total number of ballots of that kind so canvassed, and when they agree upon the number, one of them shall announce such number in a loud voice to the inspectors. The said inspectors having completed the canvass of the "straight tickets" shall then canvass the other kind of ballots which do not correspond, and those

Inspectors to
count ballots.

containing the names which are marked partly in one column and partly in another, usually called split tickets, and those from which the name of the person proper to be voted for on such ballot has been omitted or erased, usually called scratch tickets, said ballots shall be canvassed in such subdivisions as the inspectors may agree upon, and when all the ballots shall have been canvassed in this manner, and the tally clerks have made tally of the same, the clerks shall compare their tallies together, and ascertain the total number of votes received by each candidate, and when they agree upon the number one of them shall announce in a loud voice to the inspectors the number of votes received by each candidate on each kind of ballot containing his name, the number received by him on the split and scratch tickets and the total number of votes received by him. Each batch or subdivision of ballots agreed upon by the inspectors to be counted shall, as soon as counted, read and tallied, be strung upon a strong string or twine, or have rubber bands placed around them, and each batch shall be thus disposed of before the commencement of the count of the next lot or batch. At the completion of the canvass made in this manner of the votes cast up to the hour of two o'clock, the ballots shall then be placed in the same box, together with the tally sheets, and the two covers securely locked, each of the keys being held by different inspectors, and the same shall remain securely locked until the completion of the canvass of the remainder of the votes cast at such election.

Sec. 47. As soon as the polls at said election shall have been finally closed the inspectors of election shall immediately, and at the close of the poll proceed to canvass the remainder of the votes cast and remaining uncounted. Such canvass shall not be adjourned or postponed until it shall have been fully completed, nor until the several statements hereinafter required to be made

by the inspectors and clerks shall have been made out and signed by them. The said canvass of the ballots cast after two o'clock shall be made in the same manner as the canvass of the ballots cast before that hour as hereinbefore provided, the number of voters according to poll list and election list of electors having been ascertained, after careful comparison of the same, and counting the number therein entered. After such canvass shall have been completed and the number of votes received by each candidate shall have been announced, then the ballot box containing the votes canvassed at the two o'clock count shall be opened and the tally sheets of that count taken therefrom, and the number of votes for each candidate shown by said tally sheets at the two o'clock count and the tally sheets of the counts made of votes received by each candidate, and proclamation shall thereupon be clerk, and the tally clerks having compared their tallies together, and ascertained the total number of votes received by each candidate, at said election poll, when they have agreed upon the number, shall announce to the inspectors the total number of votes received after two o'clock shall be added together by the tally made in a loud voice and repeated by one of said inspectors, of the total number of votes received by each of the persons voted for in said district for the office for which he is designated and the number of votes for and the number of votes against any proposition which shall have been submitted to a vote of the people. Such proclamation shall be prima facie evidence of the result of the canvass of such votes.

Sec. 48. The inspectors shall preserve all of the ballots rejected by them, either because they are defective or for any other reason, and shall attach the same together with a string or twine or rubber band with the statement thereto annexed that they are defective or rejected ballots which have been rejected by them, which statement shall be signed by the inspec-

Inspectors
shall preserve
ballots.

tors the same as the defective or rejected ballots deposited in the box with the other ballots, and the canvass being completed and the result ascertained, the number of votes for each person and for the office for which he is designated and the number of votes for and against any proposition submitted to vote at that election, shall be set down in the poll book upon proper blanks inserted therein under the inspection of the inspectors and certified and signed by them and attested by the clerks. In all certificates, the number of votes shall be fully written out in words, also in figures.

How certified.

Sec. 49. The counting of the votes having been completed, the ballots returned to the box as aforesaid, and said certificate entered in the poll book, the inspectors shall immediately proceed to make and certify full and true returns of the result of such election under their hands; one return shall be made of all the votes cast for each city office, including those elected to represent wards and districts, and one return shall be made of the votes cast for all other offices voted for at said election, and a like return shall be made of all votes cast for and against any proposition which shall have been submitted to the electors of such election; duplicates of each of said returns shall be made and certified in like manner. One copy of such return of the votes cast for city offices shall be placed in an envelope carefully sealed and the names of all the inspectors written across the back of the envelope in such manner that the same cannot be opened without breaking such seal and otherwise defacing such envelope and signatures. Such envelope shall also have the names or number of the election district thereon, and shall be directed to the board of city canvassers in care of the County Clerk of Wayne County, and the other copy of such returns of votes cast for city offices shall be placed in a like envelope and marked, sealed and endorsed in like manner and directed to the

Returns.

City Clerk; and one copy of such returns of the votes cast for state and county offices or other offices than city offices, and one copy of the returns of votes cast upon any proposition submitted at such election shall be placed in a like envelope, sealed, marked and endorsed in like manner and shall be directed to the board of county canvassers in care of the City Clerk, and the other copy of such returns or votes cast for other than city offices and of votes cast upon any proposition submitted at such election shall be placed in another envelope, sealed, marked and endorsed in like manner and directed to the County Clerk of Wayne County; provided, that if a proposition shall be submitted relating to the city alone or by order of the common council, a return of the votes cast thereon shall be enclosed in the envelope directed to the board of city canvassers and a copy thereof enclosed in the envelope with the returns of votes for city offices shall be placed in the envelope returned to the City Clerk. The envelopes directed to the City Clerk shall contain a further endorsement indicating whether the return in the respective envelopes are cast for city or for offices other than city offices, naming them, or upon any proposition submitted. The returns directed to the board of city canvassers and to the board of county canvassers, respectively, shall be delivered to them respectively by the County Clerk and City Clerk; the other returns directed to the City Clerk and County Clerk shall be filed by them in their respective offices as part of the records thereof. All of said returns having been signed and enveloped as aforesaid, the inspectors shall cause the tally sheets to be placed in the boxes, the tally sheet of the two o'clock count being placed in the box containing the votes cast up to that time, and the tally sheets of the votes cast after that time being placed in the other box. They shall securely lock each of said boxes and a covering of leather or canvas fastened with sealing wax, and stamped with an official election seal, shall be placed

Tally sheets
to be placed in
box with
each count.

over the hole in the lid or cover and the key hole to said box, so as to completely cover both said holes in such manner that the same cannot be opened nor the holes in the cover or the key holes be uncovered without breaking the seal. The envelopes directed to the City Clerk containing copies of the election return as aforesaid shall then, together with the keys to the ballot boxes and the election seal, be taken by any two members of the board designated for that purpose directly from such polling place to the office of the City Clerk, who shall keep his office open until the returns from all election districts shall have been received, and there delivered by said inspectors to said clerk or one of his deputies, who shall observe whether such envelopes have been tampered with and shall endorse thereon over his official signature the names of the inspectors from whom he received said return, and the time he received the same, and whether the same is in apparent good order, and shall thereupon deposit the same in a safe and secure place in his office; the keys and election seal shall be placed in the proper receptacle until needed, but the returns directed to the board of city canvassers shall not be opened until the meeting of said board, when they shall be delivered to said board by the County Clerk. The envelopes to the County Clerk and to the board of county canvassers shall be delivered to other inspectors designated for such purpose, who shall proceed directly, but not in company with the inspectors bearing the returns to the City Clerk, to the office of the County Clerk, who shall keep his office open until the returns from all the election districts shall have been received and delivered, said envelopes to him or to one of his deputies, and said clerk or his deputy shall observe whether the said envelopes so delivered have been tampered with, and on receiving said envelope shall endorse thereon over his official signature, the name of the inspectors from whom they received such returns and the time of

receiving the same, and that the same are apparently in good order, and he shall thereupon deposit the same in a safe and secure place in the office of the County Clerk, but the returns directed to the board of county canvassers shall remain unopened until the meeting of the board of county canvassers, when the same shall be delivered to said board by the City Clerk. Any one or more electors present at the voting place shall have the right to accompany the inspectors designated to so deliver such returns from the polling place to the offices respectively of the City and County Clerks, and should said inspectors, or either of them, prevent or attempt to prevent such electors from so accompanying him or them, or evade or attempt to evade such electors, or stop at any place on the way from such polling place to said City or County Clerk's office without apparent necessity therefor, he or they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished accordingly. Said inspectors upon returning the ballots to the boxes and fastening and sealing the same shall thereupon deliver the same with the unused ballots and a copy of the poll books to a member of the metropolitan police, who shall be sent to the polling place by the superintendent of police for the purpose of receiving the same, and the messenger so sent shall forthwith convey said boxes, poll book and unused ballots to police headquarters and there deliver the same to said superintendent, and the said boxes when so received shall be deposited by said superintendent in some safe place and shall remain in the custody of said superintendent for four months thereafter, when the ballots therein may be taken out and destroyed. The poll books shall be placed on file in the office of superintendent of police and the unused ballots shall be destroyed as herein provided. The same or another messenger shall receive from the inspectors the registers of electors, election list of electors and other paraphernalia of election and de-

posit the same with the City Clerk. Whenever within four months any court of competent jurisdiction, board of canvassers or other competent authority shall require such ballot boxes for the purpose of having or making a recount of the ballots therein contained, for one or more candidates, said superintendent shall, upon proper demand or request in writing, send such box or boxes as may be required, by one or more of the metropolitan police, to the court or board so entitled thereto, but such box or boxes shall not be taken from the custody of such member or members of the police force except to open the same and count the ballots therein in his or their presence, and upon such count being made the ballots shall be returned to the box or boxes from which they were taken, duly locked and sealed, and said boxes then be conveyed back by the members in charge to such superintendent.

(As amended March 10, 1897.)

Board of City
Canvassers.

When to meet.

Proceedings
of Board.

Clerks.

Compensation
of Clerk.

Chairman of
Board.

Sec. 50. The City Clerk, City Treasurer and the senior Police Justice of said city shall constitute the board of city canvassers referred to in this act, and shall upon the Thursday next after the election, at ten o'clock in the forenoon, meet in a convenient public place, to be by them designated, and proceed to open and canvass the returns for city officers and declare the result of the election as soon as possible thereafter. For the purpose of tabulating the returns and doing such other incidental detail work as shall be necessary, each of the said board of canvassers may designate a suitable person to act as one of the clerks of the said board, to be compensated in such manner as the council may determine. The board itself shall elect one of their number to be chairman. When the result shall have been determined, the board shall cause to be made a record in the proper book for that purpose to be provided, of its proceedings

REGISTRATION AND ELECTIONS.

and of the result of the said election as determined by the said board, which shall be signed by the entire board and kept on file with the City Clerk for record. If it shall be claimed by any member of the board of city canvassers that the return made to the board from any district is erroneous in respect to the return of votes cast for any office, the superintendent of police, on the request of said board, shall produce before said board the returns certified in the poll book for the district, and the County Clerk shall likewise produce the returns in his office from such district, and if on comparison of all of such returns it appears that any two of them agree as to the number of votes returned for such office, the returns so agreeing shall be accepted as correct returns of the number of votes cast for such office. If the error be claimed to have been made in the return for any state, county or congressional office, the superintendent of police and City Clerk shall produce said poll book and returns filed in the City Clerk's office, and like examination and comparison shall be made thereof with the returns made to the county board of canvassers, and with like effect as is above provided in case of alleged error in the return of votes cast for a city, ward or district office.

Record of
determination.

Proceedings
in case of
error in re-
turns made
to Board.

(As amended by act approved April 4, 1901.)

Sec. 51. All registrars and inspectors of elections, while exercising their office under this or any other law regulating elections, shall have full power and authority, and are hereby required to enforce the peace and good order and obedience to their lawful commands for such ends at and about the places of registration and of holding elections. They shall especially keep the access of electors to the polls open and unobstructed, prevent and suppress all riot, violence, tumult and disorder, and also any and all improper practices or attempts tending to obstruct or intimidate electors from a free exercise of their free

Registrars
and Inspectors
shall enforce
peace
and good
order.

and peaceful registration of electors or counting and certifying the results of an election. They shall also protect the clerks of the election and the witnesses and challengers designated to attend the election as herein provided for from any violence, interference or molestation during the receiving and enumeration of ballots, and they shall at all hazards be bound to preserve and secure the registers, lists of electors, poll book, ballot boxes and ballots at every election from violence, fraud or tampering. To enforce the provisions of this section, the officer or authority having command of the police force of said city shall detail for service at the polling place in any district of such city such force as the police board may deem necessary, and on every day of election shall have a special force in readiness for any emergency. The police authorities shall assign at least one policeman to duty in each district on every day of an election, and if necessary shall employ the necessary number of special policemen. During the receiving and counting of the ballots or registering of electors, no person shall in any manner hinder or delay any elector in reaching or leaving the place fixed for registration or casting his ballot. In the discharge of their duties the inspectors of election may, if necessary, appoint and require any elector or electors to aid them in making known their order and enforcing the peace. The inspectors of election, or any of them, or any registrar, may order the arrest of any person violating this section, but such arrest shall not prevent such person from voting or registering if he is entitled so to do. The sheriff and all constables, policemen and officers of the peace, and all bystanders at any election, shall immediately obey and aid in enforcing any and every lawful order made by the inspectors or registrars at any election in execution of the provisions of this section. Any persons wilfully refusing or neglecting to perform any of the duties by this section prescribed shall be deemed

guilty of a misdemeanor and shall be punished accordingly. No inspector shall count or enumerate the ballots in a manner different from that herein described.

Sec. 52. Each of the members of the board of inspectors and each clerk of election shall be entitled to receive the sum of not exceeding eight dollars, and each gatekeeper the sum of not exceeding five dollars, which shall be in full for all services connected with said election, for services at the same and making the returns thereof, and it shall be unlawful for any inspector, or register, or clerk, or gatekeeper to receive any greater sum, or for any member of the common council or city officer to vote or pay any greater compensation than is herein allowed, and any person violating the provisions of this section shall be deemed guilty of a misdemeanor. The inspectors appointed to represent their district in the city board of canvassers shall be entitled to receive the sum respectively of eight dollars, and no more, in addition to their pay as members of the board of inspectors, provided that the members of the board appointed to make a recount of ballots as provided by law may receive the sum of four dollars for each day of eight hours in which they may be actually engaged in making such recount.

Compensation of Inspectors and Clerks.

Sec. 53. It shall be the duty of the City Clerk to procure pamphlet copies of this chapter to be printed, and furnish one of them to each of said registrars and inspectors on acceptance of their respective offices. Any vacancies in the office of the present registrars shall be filled by appointment by the common council, and in the office of inspector by the electors as in like cases as herein provided.

City Clerk to prepare pamphlet copies hereof.

Sec. 54. Special elections shall be conducted as near as may be in the same manner as general elections, but in such cases the returns of the inspectors shall be directed to and shall be opened and canvassed, and the result declared by the common

Special elections to be conducted like general elections.

council, which shall hold a session for that purpose on the Saturday next after election at two o'clock in the afternoon.

Election to fill
vacancy.

Sec. 55. If any person be voted for at an election to fill vacancy or residue of a term, the ballot of the electors shall designate such vacancy or residue, and on the canvass of votes any person who has received a plurality of votes for any office shall be declared duly elected to office.

Tie vote.

Sec. 56. When two or more persons shall have an equal number of votes for the same office, the election shall be determined by the drawing of lots, in the presence of the common council. The name of each of such persons shall be written on separate slips of paper, and each slip deposited in a box, or other proper place, and the president of the common council shall draw out of said box, or other place, in the usual manner of determining by lot, one of said slips, and the person whose name is thereon shall be deemed entitled to hold the office for which he received said votes, in the same manner as other officers duly elected.

This act to
govern all
elections.

Sec. 57. The mode of conducting all state, congressional and county elections in said city, shall be in the manner herein provided for the election of city officers, except that the returns thereof shall be made as herein provided, and the provisions of this act shall govern when applicable to such elections, notwithstanding the provisions of any general law unless the same shall in terms be declared applicable to elections in said city, it shall be the duty of the election commissioners of the county to print all ballots intended for use in said city in the manner herein prescribed for elections of city officers.

No arrest on
civil process
shall be made
on election
day.

Sec. 58. No person entitled to vote at any election, held under this act, shall be arrested on civil processes within said city, on the day on which such election is held. When any time shall be mentioned in this act it shall be deemed to be local and not standard time so called, unless otherwise specially provided.

Local time
intended.

Sec. 59. If at any registration of voters, or any meeting of the district board of registration, held for such purpose, or for revision thereof, as provided in this act, any person shall falsely personate an elector or other person, and register or attempt to register in the name of such elector or other person; or if any person shall knowingly or fraudulently register or offer, or attempt, or make application to register, in, or under the name of any other person, or in or under a false assumed or fictitious name, or in, or under any name not his own; or shall knowingly or fraudulently register in two election districts; or having registered in one district, shall fraudulently attempt or offer to register in any election district not having a lawful right to register therein; or shall knowingly or wilfully or fraudulently interfere with, hinder or delay any officer of registration in the discharge of his duties, or counsel, advise or induce or attempt to induce any such officer to refuse or neglect to comply with or to perform his duties or to violate any law prescribed for regulating the same; or shall aid, counsel, procure or advise any voter, person, inspector of election, or other officer of registration, to do any act by law forbidden, or in this act constituted an offense, or to omit to do any act by law directed to be done. Every such person upon conviction thereof, shall be adjudged guilty of a felony, and shall be punished by imprisonment in the Detroit House of Correction for not less than six months nor more than five years. If at any election hereafter held in such city any person shall falsely impersonate any elector or other person, and vote or attempt to or offer to vote in or upon the name of such elector or other person; or shall vote or attempt to vote in or upon the name of any other person whether living or dead, or in or upon any name not his own; or shall knowingly, wilfully or fraudulently vote more than once for any candidate for the same office, except as authorized by law; or shall vote or

Punishment
for fraudulent
registration
or fraudulent
voting.

attempt to, or offer to vote in any election district without having a lawful right to vote therein; or vote more than once, or vote in more than one election district, or having once voted shall vote or attempt to or offer to vote again; or shall by force, threat, menace, intimidation, bribery or reward, or offer or promise thereof, or otherwise unlawfully, either directly or indirectly, influence or attempt to influence any elector in giving his vote; or prevent or hinder, or attempt to prevent or hinder any qualified voter from freely exercising the right of suffrage; or shall knowingly, wilfully or fraudulently interfere with, delay, or hinder in any manner, any inspector of election, clerk or other officer of election in the discharge of his duties. Every person shall, upon conviction thereof be adjudged guilty of felony, and shall be punished for each and every offense by imprisonment in the Detroit House of Correction for not less than six months nor more than five years.

Punishment
for falsifying
returns.

Sec. 60. Every inspector of election, registrar, clerk or other officer or person having the custody of any record, registry of voters, election list of voters, affidavit return or statement of votes, certificate, poll book, or of any paper, document or vote of any description, in this act directed to be made, filed or preserved, who is guilty of stealing, wilfully destroying, mutilating, defacing, falsifying or fraudulently removing or secreting the whole or any part thereof; or who shall fraudulently make any entry, erasure, or alteration therein, except as allowed and directed by the provision of this act; or who permits any other person so to do, shall upon conviction thereof be punished for each and every such offense by imprisonment in the Detroit House of Correction for not less than six months nor more than five years.

Punishment
for certifying
to false re-
turns.

Sec. 61. Any person who shall be convicted of wilfully and corruptly swearing or affirming, in taking any oath, or affirmation prescribed by or upon any examination provided for in this act, shall be adjudged guilty of wilful and corrupt perjury, and shall be punished therefor, as provided by and according to the laws of this state.

ANNEXATION OF GREENFIELD.

Sections 1 and 2 of an act to annex certain territory situated in the Township of Greenfield, in the County of Wayne, to the City of Detroit, and to apply and make operative in said territory all laws applicable to and operative in said city.

The People of the State of Michigan enact:

Section 1. All that territory situated in the Township of Greenfield, in the County of Wayne, hereinafter described, is hereby annexed to and shall constitute a part of the City of Detroit. Said territory is described as follows, to-wit: Beginning at the intersection of the present northerly limits of the City of Detroit with the northeasterly line of Grand River avenue, thence northwesterly along the northeasterly line of said Grand River avenue to the intersection with the extension of the northerly line of Allendale subdivision of southerly ten feet of lot four and lots seven, eight, eleven and twelve of Tireman's subdivision of part of lot five, one-fourth sections fifty, fifty-one, fifty-two, Ten Thousand Acre Tract, and fractional section three, town two south, range eleven east, Greenfield Township; thence westerly along the northerly line of said Allendale subdivision and extension thereof, to the easterly line of private claim two hundred sixty; thence southerly along the easterly line of private claim two hundred sixty to the intersection with the present northerly line of the City of Detroit; thence easterly; thence northerly and again easterly along the present city limits of the City of Detroit to the point of beginning, the above described property being now in the Township of Greenfield.

Sec. 2. The said territory shall constitute a part of the fourteenth ward of the City of Detroit. The common council shall, at least thirty days before the first general or special election after the passage of this act, provide for the lawful registration of electors in said territory in the northerly voting district of said ward as now or as it may hereafter be established.

ANNEXATION OF SPRINGWELLS.

Sections 1 and 2 of an act to annex certain territory situated in the Township of Springwells, in the County of Wayne, to the City of Detroit, and to apply and make operative in said territory all statutes and laws now or hereafter made applicable to and operative in said city.

The People of the State of Michigan enact:

Section 1. On or after the first Monday in April, nineteen hundred six, the territory hereinafter described, situated in the Township of Springwells, in the County of Wayne, shall be by virtue of this act annexed to and made to form a part of the City of Detroit. Said territory so to be annexed to said city is described as follows, to-wit: Commencing at a point where the northerly boundary line of said City of Detroit, as now established and defined, intersects the easterly line of private claim two hundred sixty; thence northerly along the east line of private claim two hundred sixty to the center line of the Tireman road or Holden avenue; thence west along the center line of Tireman road or Holden avenue (being also the south boundary of the Township of Greenfield) to the westerly line of the Pere Marquette Railroad Company's right of way; thence southerly along said line to a point intersecting the northerly line, extended easterly on Wilson's subdivision of lot one, private claim two hundred sixty-six; thence westerly along said extended line and the north line of said Wilson's subdivision to the westerly line of said private claim two hundred sixty-six; thence south along the west line of private claim two hundred sixty-six to the northeast corner of private claim seven hundred nineteen; thence westerly and southerly and westerly along the rear of private claims seven hundred nineteen and five hundred forty-

three to the northwest corner of private claim five hundred forty-three; thence southerly along the westerly line of private claim five hundred forty-three to the northwesterly line of Baby Creek; thence southerly along the northwesterly line of Baby Creek to its intersection with the center line of the River Rouge; thence southerly following the meandering of said center line of the River Rouge down stream to the Detroit River; thence southerly to the national boundary line in said Detroit River; thence easterly along the said national boundary line to the intersection of the west boundary line of the sixteenth ward of said City of Detroit, as now bounded and described; thence northerly along said boundary line of said ward to the northwest corner thereof; thence easterly along the present northerly boundary of said city, being the northerly boundary of said ward, to the place of beginning.

Sec. 2. The said territory so annexed to said city, on and after the first Monday in April aforesaid, shall be in part annexed to the present sixteenth ward in said city and in part form a ward to be known as the eighteenth ward in said city. All of that part of said territory lying north of the sixteenth ward of said city as at present bounded and defined, and lying east of the west line of Livernois avenue extended to the northerly limits of said territory so annexed to said city shall be annexed to and form a part of the sixteenth ward. The eighteenth ward shall consist of the territory herein annexed to said City of Detroit other than that hereby made a part of said sixteenth ward.

INDEX

	Page
Boundaries (City)	4
Ward Boundaries	6
Annual City Elections abolished.....	9
Biennial City Elections, when held.....	9
Biennial Spring Elections, when held.....	9
Election districts	9
Division of election districts.....	9
Registrars, when district is divided.....	9
Ward lines to bound election districts.....	10
Notice of registration.....	10
Registration in divided districts, when held.....	10
Registrars to be elected at the November elections.....	10
"Board of Registration of Electors," how to qualify.....	10
To hold office for two years.....	10
Vacancies in Board, how filled.....	10
How elected	10
Chairman of the Board.....	11
How tie vote to be decided.....	11
When not qualified	11
Vacancy in office of Chairman of Board.....	11
Meetings of Board of Registration.....	11
General registration	11
Prove right of applicant to register.....	11
Registration of qualified electors.....	12
Register of electors to be kept by City Clerk.....	13
Form of Register.....	14
Board of Registration to examine applicants.....	15
Qualifications of applicants for registration.....	15
How entered in register.....	15
Manner of closing each day's registration.....	17
Custody of registers.....	17
Removals and re-registration.....	17
Board to make and compare lists of electors.....	19
To certify list.....	20
Spring registration	20
When registration to be held.....	20
Board to review and complete the list of voters.....	20
Provisions of general laws relative to applicants for registration applicable	21
Records of "Deaths" and "Removals".....	21
Erroneous entry of "Death" or "Removal," how corrected....	21
Penalty for false swearing.....	22

INDEX—CONTINUED.

	Page
When Removal Certificates to be issued by City Clerk.....	22
Entries to be made in ink.....	22
Registers and the election list to be furnished Board at opening of its session.....	23
Notice	23
City Clerk to deliver copy of register.....	24
Compensation	24
Registration of Women.....	25
Registrars to meet for the purpose of acting upon applica- tions for certificates and to register absentees.....	25
Organization of Board of Inspectors.....	27
Inspectors of Election.....	27
Term of office	28
Vacancies, how filled.....	28
Inspectors, how elected.....	28
Clerks	28
Who shall be Chairman.....	28
Vacancy in Board of Inspectors and how filled.....	29
Residence	29
Places for holding registrations and elections.....	31
Where registrations and elections shall not be held.....	32
Wine, beer, spirituous, or malt liquors unlawful.....	32
Notice	33
Election Commissioners	33
Ballots	34
Instructions for marking.....	34
City Committees to furnish names of candidates.....	35
How to vote on propositions.....	36
Punishment for using ballots illegally.....	37
Ballots to be delivered to Board of Election Commissioners..	37
Enough ballots to be supplied.....	37
Superintendent of Police to keep ballots, boxes, etc.....	38
Common Council to provide regulation booths.....	39
Duty of Gate-keeper	39
Opening and closing of polls.....	40
Witness and Challenger.....	40
Opening of package of ballots.....	41
Pencils to be placed in booths.....	41
Inspector to write his initials on ballots.....	41
All ballots shall be deposited.....	42
Challenges	42
Duty of Inspector to challenge.....	42
Oath	43

	Page
Method of voting.....	44
Distinguishing marks	46
Ballot boxes	46
Separate returns to be made of votes cast by women.....	47
Exhibiting ballot or carrying ballots away.....	47
Inspectors shall distribute ballots, and assist ignorant voters.	47
Spoiled ballots	48
Inspectors to keep an account of all ballots.....	49
Two o'clock count.....	49
Procedure in counting.....	50
Ballots for and against a proposition to be counted first.....	50
Inspectors to count ballots.....	51
Inspectors shall preserve ballots.....	53
How certified	54
Returns	54
Tally sheets to be placed in box with each count.....	55
Board of City Canvassers	58
When to meet	58
Proceedings of Board	58
Clerks	58
Compensation of Clerks	58
Chairman of Board	58
Record of determination	59
Proceedings in case of error in returns made to Board.....	59
Registrars and Inspectors shall enforce peace and good order.	59
Compensation of Inspectors and Clerks.....	61
City Clerk to procure pamphlet copies hereof.....	61
Special elections to be conducted like general elections.....	61
Election to fill vacancy.....	62
Tie vote	62
This act to govern all elections.....	62
No arrest on civil process shall be made on election day.....	62
Local time intended	62
Punishment for fraudulent registration or fraudulent voting..	63
Punishment for falsifying returns.....	64
Punishment for certifying false returns.....	64
Annexation of Greenfield	65
Annexation of Springwells	66



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